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TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

COMMISSIONER
Anne Heiligenstein

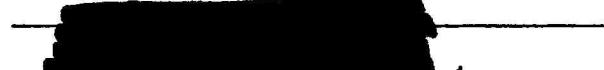
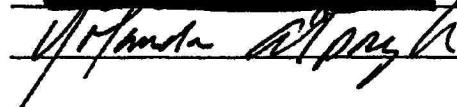
Rights of Children and Youth in Foster Care

As a child or youth in foster care, I have the right:

1. To good care and treatment that meets my needs in the least restrictive setting available. This means I have the right to live in a safe, healthy, and comfortable place. And I am protected from harm, treated with respect, and have some privacy for personal needs.
2. To know
 - Why am I in foster care?
 - What will happen to me?
 - What is happening to my family (including brothers and sisters) and how CPS is planning for my future?
3. To speak and be spoken to in my own language when possible. This includes Braille if I am blind or sign language if I am deaf. If my foster parents do not know my language, CPS will give me a plan to meet my needs to communicate.
4. To be free from abuse, neglect and exploitation.
5. To fair treatment, whatever my gender, gender identity, race, ethnicity, religion, national origin, disability, medical problems, or sexual orientation.
6. To not receive any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This includes not being shaken, hit, spanked, or threatened, forced to do unproductive work, be denied food, sleep, access to a bathroom, mail, or family visits as punishment. I will not receive remarks that make fun of me or my family or any threats of losing my placement or shelter.
7. To be disciplined in a manner that is appropriate to how mature I am, my developmental level, and my medical condition. I must be told why I was disciplined. Discipline does not include the use of restraint, seclusion, corporal punishment or threat of corporal punishment.
8. To attend my choice of community, school, and religious services and activities to the extent that it is right for me, as planned for and discussed by my caregiver and caseworker, and based on my caregiver's ability.
9. To go to school and receive an education that fits my age and individual needs.
10. To be trained in personal care, hygiene, and grooming.
11. To comfortable clothing similar to clothing worn by other children in my community.
12. To clothing that does a good job of protecting me against natural elements such as rain, snow, wind, cold, sun, and insects.
13. To have personal possessions at my home and to get additional things within reasonable limits, as planned for and discussed by my caregiver and caseworker, and based on caregiver's ability.
14. To personal space in my bedroom to store my clothes and belongings.
15. To healthy foods in healthy portions proper for my age and activity level.

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16. To good quality medical, dental, and vision care, developmental and mental health services that are at least adequate enough for my needs.
17. To be free from unnecessary or too much medication.
18. To visit and have regular contact with my family, including my brothers and sisters (unless a court order or case plan doesn't allow it) and to have my worker explain any restrictions to me and write them in my record.
19. To contact my caseworker, attorneys, ad. items, probation officer, CASA, and Advocacy, Inc. at any time. I can communicate with my caseworker, CASA, Advocacy, Inc. or my attorney ad item without limits.
20. To see my caseworker at least monthly and in private if necessary.
21. To actively participate in creating my plan for my services and permanent living arrangement, and in meetings where my medical services are reviewed, as appropriate. To be given a copy or summary of my plan and to review. I have the right to ask someone to act on my behalf or to support me in my participation.
22. To go to my court hearing and speak to the judge.
23. To speak to the judge at a court hearing that affects where I have been placed including status hearings, permanency hearings, or placement review hearings.
24. To expect that my records and personal information will be kept private and will be discussed only when it is about my care.
25. To have visitors, to keep a personal journal, to send and receive unopened mail, and to make and receive private phone calls unless appropriate professionals or a court says that restrictions are necessary for my best interests.
26. To get paid for any work done, except for routine chores or work assigned as fair and/or reasonable discipline.
27. To give my permission in writing before taking part in any publicity or fund raising activity for where I am placed or the agency, including the use of my photograph.
28. To not be forced to make public statements showing my gratitude to the foster home or agency.
29. To receive, refuse, or request treatment for physical, emotional, mental health, or chemical dependency needs separately from adults (other than young adults) who are receiving services.
30. To call the Texas Abuse/Neglect Hotline at 1-800-252-5400 to report abuse, neglect, exploitation, or violation of personal rights without fear of punishment, interference, coercion, or retaliation.
31. To complain to the DFPS Consumer Affairs Office at 1-800-720-7777 and/or Advocacy, Inc. at 1-800-252-9108 if I feel any of my rights have been violated or ignored. To be free from threats of punishment for making complaints and have the right to make an anonymous complaint if I choose.
32. To be told in writing of the name, address, phone number and purpose of the Texas Protection and Advocacy System for disability assistance.
33. To not get pressured to get an abortion, give up my child for adoption, or to parent my child, if applicable.
34. To hire independent mental health professionals, medical professionals, and attorneys at my own expense.
35. To understand and have a copy of the rights of children and youth in foster care.

| | | | |
|-------------------------|--|------|----------------|
| Child / Youth Signature |  | Date | <u>12-4-09</u> |
| Caregiver Signature |  | Date | <u>12-4-09</u> |
| DFPS Caseworker |  | Date | <u>12-4-07</u> |

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(Youth 16 and older)

When I am age 16 and older in foster care, I also have the right:

1. To attend Preparation for Adult Living (PAL) classes and activities as appropriate to my case plan.
2. To a comprehensive transition plan that includes planning for my career and help to enroll in an educational or vocational job training program.
3. To be told about educational opportunities when I leave care.
4. To get help in obtaining an independent residence when aging out.
5. To one or more Circle of Support Conferences or Transition Planning Meetings.
6. To take part in youth leadership development opportunities.
7. To consent to all or some of my medical care as authorized by the court and based on my maturity level. For example, if the court authorizes, I may give consent
 - to diagnose and treat an infectious, contagious, or communicable disease
 - to examine and treat drug addiction
 - for counseling related to preventing suicide, drug addiction, or sexual, physical, or emotional abuse
 - for hospital, medical, or surgical treatment (other than abortion) related to the pregnancy if I am unmarried and pregnant

If I consent to any medical care on my own, without the court or DFPS involved, then I am legally responsible for paying for my own medical care.

8. To request a hearing from a court to determine if I have the capacity to consent to medical care (Sec 266.010).
9. To help with getting my driver's license, social security number, birth certificate, and state ID card.
10. To seek proper employment, keep my own money, and have my own bank account in my own name, depending on my case plan and age or level of maturity.
11. To get necessary personal information within 30 days of leaving care, including my birth certificate, immunization records, and information contained in my education portfolio and health passport.

Child / Youth Signature

Child too young unable to sign

Date 12/09/09

Caregiver Signature

Date _____

DFPS Caseworker

Date _____